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Refugee Reports

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LOCAL POLICE DEPARTMENTS GRAPPLE WITH CRIME AGAINST SOUTHEAST ASIAN REFUGEES

Law enforcement personnel throughout the country find that many Southeast Asian refugees are being victimized by crime, but that persuading refugee victims to report to the police is very difficult.

"Our biggest challenge is to gain their trust and have them come forward," said Glenn Furukawa, an investigator attached to the Asian Crime Detail of the Honolulu Police Department. Gaining that trust is an uphill battle, according to police sources around the country.

Detective James Badey of the Arlington, Virginia, Police Department has made the effort to understand the reluctance of Southeast Asians to come forward and has tried to break through the cultural barriers between police and the refugee community.

Badey's cultural sensitivity is rooted in his own experience as a marine in Vietnam. That experience included caring for twin sisters whose parents had been killed by the Viet Cong. Before leaving Vietnam in 1965, he adopted the four-year-old orphans and took his new daughters home.

Badey said that most Vietnamese view crime as a violation of one family by another, and that it is inappropriate to go to outsiders to resolve problems that are essentially personal.

Refugees Reluctant to Talk About Crime Joe Yomtov, director of the Victim Witness Assistance Center, a nonprofit organization that works closely with police in Santa Clara County, California, said that many crimes are too embarrassing for refugees to discuss. Huong Pham, a Vietnamese counselor at the Santa Clara center, said that sexual assaults, in particular, cause too much of a sense of shame to report to the police. Families do not want to talk, he said, for fear that unmarried women would be so stigmatized that "people would give them strange looks and no one would marry them."

Pham said, "In our country, we had to resolve problems by ourselves; we did not want anyone else involved." He said that the U.S. systems for victim protection are not understood by the Vietnamese

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community. "In our country, we had to sue for restitution ourselves. There was no social system to help get restitution."

"In Vietnam the people saw the police as corrupt and insensitive," said Sergeant Neil Edwards, supervisor of the Asian squad in the Houston Police Department. "They come here and have the same thoughts about police in the United States."

The failure to report crimes has the effect of making the refugees even more vulnerable. "The criminal element knows the community doesn't report crimes, so they don't fear being arrested," said Edwards.

Refugees Increasingly Victims of Armed Robberies The most serious pattern of crime now emerging against the Southeast Asian refugee community is that of home-invasion robberies, in which roving bands of young, heavily armed, Vietnamese in groups of seven to ten target a refugee family and break into their home.

"They don't care whether the people are home or not because they don't think they will report," said Badey. "I know when they're from out of town," he added, "because they don't even use face masks."

Police reports of these episodes indicate a pattern. Any family members who happen to be home are tied up. At that point, rather than simply robbing the home, the victims are brutalized, frequently stabbed, kicked, beaten, and, in some instances, shot. They are threatened with retaliation should they talk.

Police are struck by the sheer violence of these attacks.

"They are open with guns and prone to violence, both with their own and in confrontations with the police," said Inspector John McKenna, officer-in-charge of the San Francisco Asian Gang Task Force.

Most of the victims who become known to the police are Vietnamese. But some police note an increasing trend for Vietnamese hoodlums to attack Cambodians as well. Generally, the non-Vietnamese Southeast Asian ethnic groups, such as Cambodians, Hmong, and Lao, are considered by the police to be even more remote, insular, and vulnerable than the Vietnamese.

Badey points out that the phenomenon of members of an immigrant ethnic minority preying on their own people is consistent with the experiences of earlier immigrant groups.

Pham said that the attitude of many in the Vietnamese community is that taking such matters to the police would only cause greater problems. "If we report the incident to the police," he said, "the suspect's relatives could retaliate. We are too far away from the protection of the police."

Ignorance of Criminal Justice System Widespread Badey said that a large part of the problem is ignorance of the U.S. criminal justice system. "It is seen as too slow, not working, and not able to offer protection."

"Orientation about the U.S. legal system is the first order of business," said Mike McElroy, the refugee victim advocate in the Seattle Police Department. "Confusion about the system is rampant, not only among the refugees, but also among people who grew up with this system." McElroy expressed his frustration over American sponsors who give refugees wrong information about how the criminal justice system works.

Working both with the refugee community and American hosts comes naturally to McElroy, a veteran of nearly a decade of refugee-related work, including stints in Southeast Asian refugee camps and as a Lao refugee resettlement caseworker back in Seattle.

He describes how he got the job as something of a fluke. "I heard that the police department was hiring someone to work with the Indochinese, and, where angels fear to tread, I went in to give them my opinion about the position." McElroy has been a busy man ever since.

"I found many detectives and officers who wanted to help, but who didn't know how. They were very frustrated by the language barrier, coming into situations they didn't understand." Typically, a call to the 911 emergency number would come through from a non-English-speaking refugee. Police would respond with no idea what the situation involved.

McElroy's former experience as coordinator of the Indochinese Language Bank has helped him to overcome the language gap.

He stresses the importance of taking great care with the refugee victim every step of the way. Finding the right interpreter is the first task. "You need to find

out who they trust. It won't work simply to get someone from their community who speaks the best English. You need the particular dialect and want interpreters with similar lifestyles as the person." McElroy recommends helping the victims to locate trusted friends with whom they will feel comfortable talking about what happened.

By the same token, said McElroy, the refugee needs to trust someone in the police department. "One of the things most apparent to me in working with refugees for the past nine years is that they relate not so much to institutions as to individuals."

Refugees will go to the person they trust, said McElroy, "whether or not you hold the strings to resolve their problem." He sees his role as getting refugees where they need to go, contacting the appropriate people, and explaining the whole process. "You really need to reach outside your particular job position to help."

Dallas Storefront Brings Police Closer to Refugee Community Reaching outside one's particular job position aptly characterizes the role of Corporal Ron Cowart of the Dallas Police Department. Another Vietnam war veteran, Cowart operates a storefront building in the heart of Dallas' refugee community.

A din of children's voices could be heard over the phone line before Cowart shooed them away so he could talk to Refugee Reports. The presence of children is encouraged. In fact, Cowart runs four different scout troops comprised of refugee youngsters.

The troops have been active on the crime prevention front. One project involved installing peepholes to enable refugees to look out before opening their doors. Aware of the resistance in the community to the idea of registering property, Cowart's scouts have taken the lead in Operation Identification by inscribing people's driver's license numbers on television sets, radios, and other property.

Cowart organizes meetings of refugee girls to discuss how to avoid assaults. He is struck by their innocence and naivete. "When I tell them not to walk in dark alleys or across parking lots, they ask me, 'Why?'"

He also spreads his message through the local refugee press. His articles include "What Is a Suspicious Person?" and "Why You Should Call the Police?" The articles cover basic crime prevention, but much of the information is new to those unfamiliar with American life.

Police Storefront Becomes Community Center The storefront is the hub of community activity. Three refugee mutual assistance associations are housed at the center, and it is the frequent scene of community meetings.

"We have distributed seven tons of emergency rice since January," said Cowart, "and we have set up a clothing distribution network as well."

"They are in constant touch with us to help with job placements and other social services," said Mimi Chao, director of the Dallas-Fort Worth Refugee Interagency, a Church World Service resettlement agency. In fact, the storefront has been involved in about 150 job placements in the private sector. "By developing that relationship, it becomes much easier for people in the community to report crime when the time comes," said Chao.

One of the features of the Dallas police effort about which Cowart expresses the greatest pride is his recruitment and training of three public service officers (PSOs) from the three major Southeast Asian ethnic groups.

Cowart screened more than 100 applicants before finding his officers. He looked for people who were independent, not tied to particular organizations, but who nevertheless were community-oriented. He sought candidates who would not reinforce negative stereotypes about police that might have carried over from Southeast Asia.

Once the candidates were chosen, Cowart made sure that they would not be just tokens, but insisted that they undergo the same police training and testing as their American counterparts. Because of their refugee backgrounds, he was able to have the citizenship and college degree requirements waived on their behalf, but the three PSOs all underwent intensive training at the police academy. They now respond to a wide range of community problems in addition to their more traditional police work. They are highly respected by the ethnic communities, according to Chao.

Recruitment of Southeast Asians into Police Forces While many of Cowart's colleagues around the country support the notion, in principle, of recruiting Southeast Asians as police officers, these efforts have met with mixed results.

Citizenship, age, language, and academic credit requirements, are all obstacles cited by police. Badey commented that the effort to hire a Southeast Asian to cover the refugee beat could be a "quick fix" approach to the problem that will not have the desired results unless carefully considered.

"The problem," said Badey, "goes right back to the Vietnamese perception of the police as corrupt. The Vietnamese ask, 'Why do you want to be a cop?'" Badey says that because the Vietnamese police were not highly regarded, it is difficult now to recruit the best people into law enforcement.

McElroy also pointed out that in an ethnically mixed refugee community, "the Mien might not like having a Vietnamese in that position, and vice versa."

Several of the police commented that putting a Southeast Asian specifically on a detail working with the refugee community can put the new officer in an uncomfortable position, especially since the people in the community can develop unrealistic expectations about what the officer can accomplish. One officer spoke of a case of a Vietnamese police liaison official trying to make promises to the community that could not be fulfilled. This resulted in his being blamed and losing the trust of both the community and the police force.

The chief of the Westminster, California, Police Department, Don Saviers, said that a Vietnamese sworn police officer works on his staff, but that "I did not want to assign him to the Vietnamese community." Although called upon to interpret and to provide his fellow officers with insights into the culture, he is assigned the same duties as other patrolmen.

Cowart realizes the potential danger of "pulling someone out of the mist and giving him responsibility with inadequate training." However, Cowart rejects the arguments put forward by many police departments that, he feels, have only made half-hearted efforts. "Those who have not made the effort to get close to their communities," he said, "are the same who say they try to recruit but no one comes forward. These are the police departments that will be quick to blame the community for harboring criminals." Cowart tells them, "You need to take the time to show good will and to show a proven track record for helping them."

Update

° The House Appropriations Committee sent a FY 87 foreign aid budget to the full House on July 31, which includes $347.5 million for Migration and Refugee Assistance and $25 million to replenish the Emergency Refugee and Migration Assistance account.

These amounts equal the administration's FY 87 request for the account, which is divided into four areas: refugee admissions to the United States; refugee assistance overseas; other assistance activities, such as U.S. contributions to UNHCR and ICM; and administrative expenses.

Because other accounts received substantial cuts, the full funding level was a surprise to groups working with refugees. The appropriations bill will next be voted upon by the entire House of Representatives. After the House passes a bill, the Senate will begin its deliberations.

° The Galang Refugee Processing Center (RPC) in Indonesia will close at year's end, according to the State Department. The center is being closed because there are "not enough admissions to sustain the program," according to a State Department spokesman, and space is available at Bataan in the Philippines and Phanat Nikhom in Thailand.

Galang opened in 1982. It employs 144 Indonesians and 24 expatriates, the State Department said. The last ESL class will graduate on December 18. Some staff will remain for one or two months to finish closing the site.

° On July 15, the U.S. House and Senate passed a concurrent resolution (S. Con. Res. 143) expressing the sense of Congress that the Orderly Departure Program with Vietnam should resume. The resolution called upon the government of the Socialist Republic of Vietnam to permit the immediate resumption of interviewing and processing of applicants in Vietnam who have received preliminary U.S. approval for resettlement. The

resolution also called upon Vietnam to permit the orderly departure of "re-education camp" prisoners, Amerasian children, and other persons of special humanitarian concern to the United States.

° U.S. officials have returned to the Sudan and have begun preparing a backlog of 950 INS-approved refugee cases for movement to the United States, according to the State Department. As many as 600 refugees may be flown to the United States by October 1. According to Don Bean of the State Department's Bureau for Refugee Programs, "I assume we are going to get the bulk of INS-approved cases out by November." Bean said that 99 percent of these refugees are Ethiopians.

INS officials will probably not return to the Sudan to resume interviewing before November, he said.

Though the Sudanese have been conducting exit interviews of all departing INS-approved refugees, no problems or delays have resulted, Bean said. "Everything is going very well."

U.S. refugee processing has been suspended twice in recent months, once following a change in Sudanese governments, and once after the April shooting of a U.S. diplomat in Khartoum forced the evacuation of U.S. officials from the country.

° Undocumented aliens were found to be eligible for Medicaid payments and Medicaid care by Judge Charles Sifton of the U.S. District Court for the Eastern District of New York on July 14. Ruling on a class action suit brought by seven undocumented aliens, Judge Sifton ruled that nothing in the 1965 statute bars aid to undocumented aliens. The Department of Health and Human Services argued that undocumented aliens were ineligible for Medicaid, according to the July 15 New York Daily News.

On July 15, Sen. Daniel P. Moynihan (D-N.Y.) introduced a bill (S. 2644) to amend title XIX of the Social Security Act to provide that the federal government cover 100 percent of the medical assistance expenses incurred by undocumented aliens. In introducing the bill, Moynihan said, "It is altogether unfair that state governments and local governments should have to assume a large share of the cost of dealing with illegal aliens, whose presence is a manifest evidence of a failure by the federal government to enforce its laws."

° Jonathan Moore's nomination to be U.S. Coordinator for Refugee Affairs was confirmed by the Senate July 23. Moore was the director of the Institute of Politics at the John F. Kennedy School of Government at Harvard. He recently served on the Ray Panel that assessed the Southeast Asian refugee situation.

° The State Department has recommended to the Justice Department that extended voluntary departure (EVD) for Ugandans be allowed to expire on September 30, 1986.

° An extradition treaty between the United States and Great Britain was ratified by the Senate by an 87-10 vote on July 17. The treaty would prevent those who committed violent offenses from resisting extradition to Britain by claiming their acts were politically motivated. The treaty drops the "political exception" clause that protects dissidents in most U.S. extradition treaties.

In a June 6 letter to the New York Times opposing the extradition treaty, Arthur Helton, director of the Political Asylum Project of the Lawyers' Committee for Human Rights, wrote, "Only the courts can respond flexibly to the extremes a refugee may have to go to in order to flee severe persecution. Barring an individual from defending against extradition on the ground that the offense was political, and then ousting the federal courts from independently reviewing this decision, risks grave injustice."

Many senators' support of the treaty hinged on the interpretation of article 3 (a), which states that "extradition shall not occur if the person sought establishes to the satisfaction of the competent judicial authority...that the request for extradition has in fact been made with a view to try to punish him on account of his race, religion, nationality, or political opinion" or if his trial would be prejudiced for the same reasons.

Since northern Ireland operates special courts under emergency legislation, excludes trial by jury for the most serious offenses, and permits courts to consider uncorroborated and unlawfully obtained evidence, a number of senators expressed the fear that, in the words of Sen. John F. Kerry (D-Mass.),

"basic human rights and civil liberties not be sacrificed in the rush to narrow the application of the political crimes defense in American extradition law."

Ratification of treaties does not require House action.

° Allan Gall has been appointed director of the Office of Refugee Resettlement's Division of Operations, according to an announcement by ORR acting director Bill Gee. Gall will take over on August 4. Richard Shapiro, who has been serving as acting director of operations, will stay on as deputy director, according to the announcement.

Gall's background includes several years' administrative experience with the Peace Corps, including chief of operations for North Africa, Near East Asia, and the Pacific Region. He has also been a consultant and assistant director for development assistance at the Ford Foundation. He holds a Ph.D. in Near East Studies from the University of Michigan.

Recent Developments

SALVADORAN EVD BILL MOVES THROUGH CONGRESS, SIMILAR BILL INTRODUCED FOR NICARAGUANS

A bill to provide a temporary safe haven for Nicaraguan nationals in the United States pending a General Accounting Office report on conditions of displaced Nicaraguans was unanimously reported out of the House rules subcommittee on July 23.

The bill (H.R. 4893), introduced by Rep. Barney Frank (D-Mass.), uses the same wording as a similar bill (H.R. 822/S. 377) on behalf of Salvadorans, known as the Moakley/DeConcini bill.

At the July 23 hearing, Rep. Joe Moakley (D-Mass.), expressed his support for Nicaraguan safe haven and reiterated his position that extended voluntary departure (EVD) is the appropriate protection for people facing generalized conditions of violence, war, and civil strife in their home country.

Although invited to testify, the State Department did not send a representative to appear before the subcommittee.

In a related development, the House Judiciary Committee reported the Moakley/DeConcini bill (H.R. 822) to the full House by a 19 to 16 vote. The bill was opposed by the Republican representatives and Democratic Rep. Romano L. Mazzoli (Ky.).

Mazzoli said that the bill addresses a "nonexistent problem," there being "no evidence of a measureable level of persecution or individual or generic violence." Reps. Daniel E. Lungren (R-Cal.) and Hamilton Fish (R-N.Y.) cited a report by the Intergovernmental Committee on Migration (ICM), based on interviews with 79 percent of returnees to El Salvador which, according to Lungren, found no cases of persecution.

Frank pointed out that ICM recognizes the violent conditions in El Salvador as evidenced by its recently begun program to relocate Salvadorans displaced by civil strife to Argentina (see Refugee Reports, Vol. VII, No. 7).

He reiterated that the bill is not targeted at those fearing individual persecution, but is rather an extension of present policy that currently extends blanket temporary protection against deportation to nationals from Uganda, Poland, Ethiopia, and Afghanistan.

BILL UNDER HOUSE CONSIDERATION WOULD PREVENT DERIVED ASYLUM STATUS FOR IMMEDIATE FAMILIES OF ASYLEES

The House Subcommittee on Immigration, Refugees, and International Law met on July 22 to consider three "efficiency bills" designed to correct and streamline previously enacted immigration laws.

One of the three bills (H.R. 4823) included a section (141) that would deny derivative asylee status to the spouse or children following to join an alien granted asylum in the United States. If enacted, this would require asylees to wait for one year to adjust their status to permanent resident before being able to petition for their spouses or children to enter the United States as immigrants.

In testifying before the subcommittee, Monsignor Nicholas DiMarzio, executive director of the Migration and Refugee Services of the U.S. Catholic Conference, said that further delays could be anticipated because of the oversubscription of second preference petitions. DiMarzio added that

families of asylees would risk danger by having to remain behind. He said, "It must be kept in mind that these spouses and children are residing under often precarious, vulnerable conditions, whether in the home country or elsewhere as a result of the asylee having been granted that status by the U.S. government."

Bill Expresses Congressional Intent Against Detention of Most Aliens Under section 311 of the bill, Congress clarifies its intent that aliens in deportation and exclusion cases should be paroled rather than detained unless they are believed to pose a danger or are likely to abscond.

Warren Leiden, executive director of the American Immigration Lawyers Association, testified, "By indicating that release subject to reasonable conditions is preferable to detention and by providing more leeway to the Attorney General in determining who must be detained, this provision should both alleviate hardship and reduce the high cost of the present, across-the-board detention policy, and need not, if properly and thoughtfully implemented, cause any significant increase in the number of aliens who fail to appear for required hearings."

Amerasians, Marriage Fraud Clarifications Private agencies would be permitted to sponsor Amerasian adults under section 107 of H.R. 4823. This provision would also limit the period of sponsors' financial responsibility for Amerasians to two years.

H.R. 4823 includes a provision to prevent marriage fraud (section 302) that would require couples seeking fiance visas to have "met in person within two years before filing the petition." DiMarzio commented that this provision could cause particular hardships for refugee couples "whose marriage plans had to be postponed due to compelling outside circumstances which often lasted significantly longer than two years." He reminded the subcommittee that refugees are frequently forcibly separated from their loved ones.

NEW POLICE CLEARANCE REQUIREMENT FOR CUBAN REFUGEES ADJUSTING STATUS

Local police clearance letters are now required for individuals under section 1 of the Cuban Refugee Adjustment Act of 1966 seeking to adjust their status to permanent residence, according to a final rule published in the July 14 Federal Register.

The Immigration and Naturalization Service (INS) began running state police clearance checks last year in the process of adjusting to permanent residence the status of Cubans who arrived as part of the 1980 Mariel Boatlift, according to an INS source.

The rule had been proposed February 27, 1985, prior to the Mariel adjustment program. As published, now, however, the rule, which will come into effect August 13, will apply to all Cubans over the age of 14 applying under the Cuban Refugee Adjustment Act.

The rule does not apply to police clearance records from Florida, New York, New Jersey, Illinois, and Texas for applicants who have lived in those states for six months or more; nor does it require applicants to produce records from California if they reside there at the time of their application for adjustment of status.

For these states, which host the vast majority of Cubans seeking permanent residence status, INS already has a computer check system in place for police records. The regulations require Cubans in the remaining states to obtain clearances from police departments where they live.

Local police clearances will not be required for other nationality groups applying to adjust their status at this time, INS said in the Federal Register.

Current Research

LAW ENFORCEMENT NEEDS OF SOUTHEAST ASIAN REFUGEES ASSESSED, STRATEGIES DEVELOPED

Crimes affecting Southeast Asian refugee communities in the United States--from youth gangs to incidents of racial violence to organized crime--present law enforcement officials with challenging difficulties, according to a recently completed research project. But, the project report concludes, the difficulties can be overcome if faced with prompt, informed action.

The report identifies trends related to Southeast Asians that will affect law enforcement in the next ten years, most of

them negatively, and proposes strategies for addressing these trends. It also cites current programs that police officials said were useful in providing services to Southeast Asians in their communities.

The study, A Research Project to Determine the Law Enforcement Needs of the Southeast Asian Refugees in the Year 1995: To Develop Strategies to Meet Those Needs, was done by Captain Stanley L. Knee of the Garden Grove, California, Police Department under the auspices of the California Police Command College.

Many of the report's findings were based on three separate surveys. One surveyed police patrol officers and sergeants in four locations with significant Southeast Asian populations; another, detectives; and the third, investigators experienced in law enforcement in Southeast Asian communities.

Refugees Tend Not to Report Crimes The study notes that the apparent unwillingness of Southeast Asians to report crimes makes both law enforcement itself and research on it difficult. Police and Southeast Asians interviewed for the study identified several reasons for the tendency not to report crimes.

Many Southeast Asians fear retribution and believe that the police are not able to protect them from criminals they report. Incidents were cited as evidence that this fear is played upon by Southeast Asian gangs to intimidate victims from involving the police, but the study noted that the fear extends to non-Asian criminals as well.

But refugees also fear the police. The study quotes a paper by Dr. Andre Van Chau, a Vietnamese community leader, which says, "The Vietnamese perception of the police is certainly influenced by the historical context of people/police relations in Vietnam. They have known the police in Vietnam to harass people, to possess sometimes the power of life and death over the citizenry, to arrest people whenever they feel like it and get away with it, and to take bribes almost openly." Such perceptions and distrust must be overcome by U.S. law enforcement agencies, the study notes.

Southeast Asians lack knowledge about how to report crimes to the police, Knee found. Even though many refugees have lived in the United States for several years, the research suggested that working and living within Asian communities having limited contact with the government or police contribute to this lack of familiarity.

The Southeast Asian communities' perception that the police and courts do not succeed in arresting and punishing criminals also undermines Southeast Asian confidence in the law enforcement system. When refugees see Asian criminals free in the community, sometimes having posted bail and then claiming they bribed their way out of jail, it "increases the power and prestige of the criminal at the expense of the police and court system." According to the study, this is partly a result of their difficulty understanding the U.S. bail system, the length of court proceedings, and courts' sentencing philosophy.

In the Southeast Asian community, Knee's research suggested, some crimes are considered "the cost of doing business"--various forms of extortion that victims accept rather than involve the police--and others may not be considered crimes within the particular refugee culture.

Survey responses showed agreement that Southeast Asian victims are more reluctant than others to report crimes, that calls for service involving Southeast Asians take significantly longer to handle, and that more training about Southeast Asian customs was needed. More than one-third of the respondents said that the level of police service to the Southeast Asian community needed improvement.

Police Services to Southeast Asians Difficult Among detectives, there was agreement that Southeast Asians were less likely to cooperate in various aspects of investigation and prosecution than were non-Asians, that crimes against Southeast Asian refugees were more difficult to investigate than crimes reported by other ethnic groups, and that Southeast Asian victims are much less likely to agree to testify in court. Furthermore, nearly half of the detectives agreed that they would prefer not being assigned cases involving Southeast Asians as victims or suspects.

The two greatest difficulties that police officers encounter when dealing with Southeast Asians are the language barrier and the victim's fear of reprisal hindering investigation.

But, despite problems in the reporting

of crimes and witness cooperation, progress is being made. "The key element in improving the level of communications is personal contact." A police officer who is known by the Southeast Asian community and who interacts well with its members will be provided information, according to the report.

Concern About Crime Grows Southeast Asians have grown increasingly concerned about crime, according to another survey cited in the report. The survey conducted by the Refugee Planning Center of Orange, California, between 1981 and 1984, found that 45 percent of Southeast Asians surveyed believed that "crime in the streets" was a major problem in 1981; in 1984, 64 percent identified crime in the streets as a major problem for their families.

"The most violent threat to the refugee community is the formation of Vietnamese youth gangs," the report states. Referred to as gangsters by the refugee community, the report lists extortion, robbery, rape, assault, theft, and murder among the crimes youth gangs commit against victims within their community--victims usually reluctant to cooperate with the police.

The gangs are, according to the report, characterized by extreme mobility, a propensity toward violence, ages usually ranging from 14 to 23, and loose organization, usually without gang names. Their victims are usually Southeast Asians, but in recent years, the gangs have expanded their criminal activities beyond the Asian community, states the report.

These gangs have gradually replaced earlier gangs that were formed soon after the first Vietnamese refugee arrivals in 1975.

Nearly three-fourths of the officers surveyed felt that Southeast Asian youth gangs were likely to increase in size and would possess tremendous power in the Southeast Asian community. Furthermore, 95 percent felt that there was at least a medium probability that because of the ability of the Southeast Asian criminal to move rapidly and the lack of cooperation in the Southeast Asian community, police will be ineffective in arrest and prosecution of these gang members.

Both of these trends, the report states, will require stronger ties among law enforcement officials in different areas, as well as specific programs to combat these gangs.

The mobility of the youth gangs, moving quickly from state to state, has made law enforcement particularly difficult and has created a need for agencies to form "information networks," according to the report. While such informal networking has been successful in providing information on the activities and location of suspects, "examples of violent crime almost appear endless, and the police feel that it is on the increase."

Southeast Asian Organized Crime Assessed The report assesses whether Southeast Asian organized crime is a myth or reality. Knee found few law enforcement personnel who believe that "the Vietnamese gangs have developed a structure similar to the Mafia and should be classified as an organized crime syndicate."

However, officials described a variety of current criminal activities--gambling, drug traffic, smuggling, prostitution, mail fraud, tax evasion--often carried out by those who were "members of the criminal class" in South Vietnam who communicate with and assist each other in different parts of the United States.

In his October 1984 testimony before the Presidential Commission on Organized Crime, reprinted in the report, Sergeant Jack Willoughby of the New Orleans Police Department said that these activities are centered in a small portion of the Vietnamese community, criminals who have contacts with each other and a common past in Vietnam. "Because of this past contact, as well as the feeling that they are alone in a 'sea of white faces,' there exists the potential for a large, traditional, organized crime family forming," Willoughby testified.

The vast majority of detectives surveyed agreed that the Southeast Asian communities have criminal groups that could be the beginnings of a "Southeast Asian Mafia." Few, however, agreed with a statement "there is nothing we can do to prevent a Mafia-like organization from forming in the Southeast Asian community." The report emphasizes that intervention by law enforcement officials is required to prevent these gangs from expanding their criminal activities and openly challenging other Asian gangs for control of illegal activity.

Racially Motivated Crime Analyzed Nearly half of the patrol officers and sergeants surveyed said that discrimination and violence against Southeast Asians were problems in their communities. About one-third of those who felt so thought the problem was increasing; nearly half felt it was remaining the same.

The report notes the difficulty of dealing with racially motivated crime. Few police departments maintain separate records on it, and police generally deal with the crime itself--identifying suspects and making arrests--not with establishing motives.

The report, though, identifies four factors that appear to be common to serious racial incidents directed at Southeast Asian refugees.

"The Southeast Asians were relocated in low-income, minority areas in which affordable housing and jobs were scarce."

Second, the refugees were not given sufficient information about the police and, in some cases, how to contact them.

Third, "in most situations, the police department did not prepare their organization to deal with Asians." There was little if any training, according to the report.

Finally, "nothing was done to prepare the community for the arrival of the refugees." The result was a variety of rumors among non-Asians who were living in poverty about special government assistance given to the refugees.

Lack of Specialized Training The surveys of police officers and detectives had implications for police training and hiring practices. Some two-thirds of the respondents had received less than three hours of training on Southeast Asian customs and culture. Only 13 percent had received more than eight hours.

There was strong agreement among police personnel surveyed that the hiring of Southeast Asian officers would be an asset to their departments, that officers would treat the new officers just like any rookies, that hiring them would not represent a lowering of hiring standards, and that a lack of knowledge about the community's customs would not prevent them from becoming effective officers.

Other Trends Affecting Law Enforcement Identified Among the most important trends named by respondents was an increase in the number of violent crimes committed by Southeast Asians against other Southeast Asians. In addition to the impact on the victims, this trend increases the fear of crime in the community.

An increase in the number of violent crimes committed by Southeast Asians against non-Southeast Asians has several possible implications. It could increase the distrust between Asians and non-Asians. And it could lead to publicity about violent Southeast Asian crime and, thus, to pressure from local governments on police departments to "stop Asian crime."

The participants also anticipated an increased specialization within police departments to deal with Southeast Asian problems. The idea of specialized units, the report notes, is gaining acceptance, and the need for "personalized service by officers well known in the Southeast Asian community is an essential ingredient in a plan to improve services."

There is great concern that a trend toward increased violent confrontation between police and Southeast Asian gangs--virtually nonexistent five years ago--could become a serious problem for law enforcement personnel. The solution, the report says, depends on cooperation between police and the Southeast Asian community to solve such crimes quickly.

Other trends with potential negative implications for law enforcement officials were an increase in the use and sale of narcotics by Southeast Asian criminals and an increase in traffic-related problems as a result of poorly trained Southeast Asian drivers.

Two trends which have to do with the growing political role of Southeast Asians could have positive implications. First, refugees will provide support, including monetary support, to politicians, parties will encourage them to register, and their political power will increase. Second, politicans are increasingly seeking the support of Southeast Asians. The report cites evidence that Southeast Asians tend to vote as a group, thus increasing their potential political clout.

Officials felt that one trend beyond their control, but which could have significant effects on law enforcement, was likely to occur. "As the government reduces the

number of Southeast Asian refugees allowed into the United States, Southeast Asians escaping from Southeast Asia will enter the United States illegally..." The report notes that Chinese from Hong Kong and Taiwan who enter the United States illegally are often forced to work in Chinese businesses to pay the organizations who arranged their entry. "Not only does this system provide slave-like labor, it provides criminals with targets since they know that the victim will not normally contact the police, and it can provide gangs with a pool of manpower from which they can recruit new members."

Things to Monitor and Programs That Work Recommended The experienced officers also listed events that should be monitored by police to warn them of potential problems in relation to the Southeast Asian communities in their jurisdictions. These included crime statistics; school problems between ethnic groups; the polarization of political parties within Southeast Asian groups reflecting emotional issues related to their native countries; property crimes against Asian businesses; the establishment of freight companies claiming to be able to ship goods to Southeast Asia, as many such companies defraud customers of money and goods; domestic disputes; and gun sales to Southeast Asians as an indication of fear among citizens.

These officers also identified or suggested programs which assist local police agencies in providing services to Southeast Asian people.

Educational programs to provide information on crime suppression and resistance and on police and court procedures were recommended. English-as-a-second-language classes were suggested as a place to meet Southeast Asians and educate them about the criminal justice system. The use of Southeast Asian newspapers to distribute information on crime prevention and on successful prosecutions of Asian criminals was also recommended.

Also mentioned was training of police officers about the customs and traditions of the Southeast Asian ethnic groups.

One of the most frequently mentioned programs was the establishment of a storefront police facility in the Southeast Asian business district.

Hiring Southeast Asians as community service officers and police officers, as well as developing "qualified, trained, and trustworthy translators," were among the other programs identified.

Strategies to Achieve Positive Effects Outlined The report concludes with strategies to affect positively the trends that were identified. To achieve crime suppression, several broad strategies are outlined. The first is the development of information exchange between state, local, and federal agencies to monitor gang activity, train law enforcement personnel, and improve the information on racial disturbances and acts of discrimination.

Improving communications with the Southeast Asian community in order to increase crime reporting and willingness to testify, and to develop trust of the police, could be achieved through several actions--recruiting bilingual Southeast Asians for police officer and other staff positions; establishing or using existing "victim/witness programs;" establiishing a storefront if there is a centralized Southeast Asian district; publicizing successful arrest of gang members; improving community relations; and developing training programs to teach officers about Southeast Asians' customs.

To improve services to the Southeast Asian community, increased efforts to educate Southeast Asians about laws and available counseling services should be undertaken by police and community organizations, and the availability of counseling on domestic problems should be assured.

Law enforcement could also be improved through changes in organizational structure, the report suggests. It recommends that a specialized unit be responsible for such things as public relations and education programs in the Southeast Asian community; investigations of felonies, racially motivated crimes, and harassment of Southeast Asians; collecting information on Southeast Asian gangs and crime trends; and keeping police management informed about trends and events in the Southeast Asian community.

To facilitate the positive effects of increased Southeast Asian involvement in politics, police should have contact with Southeast Asian organizations and leaders and should be sensitive to political rivalries to avoid the appearance of bias.

The report also includes background on

U.S. refugee polices, the resettlement history of Southeast Asians, and reception and placement services that are provided; a section on implementing the suggested strategies; a bibliography; and extensive appendices.

Copies of the report are available from Capt. Stanley L. Knee, Garden Grove Police Department, 11301 Acacia Parkway, Garden Grove, CA 92640. (714) 638-6839.

STUDY FINDS MIAMI CUBANS SUPPORT POLICE

Of Miami's ethnic communities, Cubans who arrived in Miami during the 1960s hold the police in highest regard, according to findings of a study just completed by the University of Miami. The study, still in draft form, was commissioned by the Metro-Dade County Police Department as part of an effort to improve police-community relations.

Miami is the only major U.S. city to suffer from racial rioting during the 1980s, according to the study.

Fifty households in each of five Dade County neighborhoods, two black, one white, a "1960s" Cuban neighborhood, and a "Mariel" neighborhood, were surveyed by the University's Center for the Study of Law and Society. Students from neighborhood high schools and more than 200 police officers were also questioned.

Respondents were asked to reveal their attitudes toward police demeanor, responsibility for crime control, and police practices. They were also asked to compare the police with other parts of the criminal justice system--prosecutors, judges, and defense attorneys, and social institutions, including businesses, labor unions, political parties and churches.

Cubans Hold Police Responsible for Crime Control When rating three aspects of society--criminal justice, social institutions, and police--"the 1960 Cuban entrants report more positive attitudes on all three levels than any other group, and very few negative responses," the study said. "The 1980 Cuban entrants are generally positive toward all three levels and become more positive as they move from the general to specific attitudes toward the police." Both Cuban groups indicated the highest level of agreement with the idea that "the major responsibility for controlling crime lies with the police." The other groups disagreed.

The police consistently scored lowest amongst low-income blacks and all student groups, while receiving the highest marks from 1960s Cubans. "The 1960 Cuban immigrants perceive that the police have the most positive demeanor, even more so than the police themselves," the study said.

"Residents of the Cuban neighborhoods were the only respondents (with the exception of the police) that feel that it is appropriate for police on patrol to stop and question suspicious looking citizens," the study concluded, and, therefore, "police officers can expect more support of and less resistance to active patrol strategies in the Cuban neighborhoods."

Some Survey Findings are Questioned Cubans may admire the police because "they rank all institutions high," according to study co-author Dr. Geoffrey P. Alpert. "Many older Cuban immigrants hold traditional views," he added.

Alpert said he expected to see greater variation between responses from Mariels and earlier Cuban refugees, and was surprised by the "incredible agreement among Cuban groups."

Another reason police may enjoy considerable Cuban support is because "Latins are a viable part of the economy, very much in the mainstream," according to Lt. John Wilson of the Metro-Dade Police Department. "Generally, there is a good relationship between police and the business community," he said.

Wilson said some findings in the survey may not be consistent with reality. Though the Cubans may have said that police are responsible for controlling neighborhood crime, "In Latin communities if there's a purse snatching, you'll usually find someone from the community chasing the thief."

A spokesman for a Miami civic group said the survey findings regarding Cubans were "not implausible," though he did not believe purely Mariel and 1960 Cuban neighborhoods exist. "Every neighbrohood has a mix," he said. Not all Mariels live in low-income housing; some own there own homes. And he said many Cubans who arrived in the United States during the 1960s remain poor.

He said some of the answers may have

been those that respondents thought the surveyers wanted to hear. But he did admit that findings about Cubans' attitudes toward criminal justice could be accurate. "Many Cubans believe if someone is arrested, they are probably guilty," he said.

Projects and Programs

TECHNICAL ASSISTANCE OFFERED FOR REFUGEE MENTAL HEALTH CARE

Twelve state mental health agencies confronted by problems in caring for refugees now have a place to turn for technical assistance.

A national technical assistance and resource development center has been established at the University of Minnesota Hospitals under a three-year, $1.7 million contract with the Office of Refugee Resettlement (ORR) and the National Institute of Mental Health (NIMH).

The technical assistance center serves the twelve states that receive ORR-NIMH funding to integrate refugee mental health care with existing state mental health care systems (see Refugee Reports, Vol. VI, No. 6).

"The whole thrust of NIMH is to mainstream the refugee population," said Dr. Amos Deinard, director of the technical assistance center. "There are not enough dollars to set up parallel programs. We have to fine tune the mainstream system to make it accessible [to refugees]."

The University of Minnesota Hospitals center is working to identify training opportunities for those interested in refugee mental health. It is also seeking culturally sensitive models for prevention, diagnosis, and treatment of refugee mental health problems.

Researchers at the center have compiled an 800-item bibliography on refugee mental health. They have also conducted site visits to learn more about existing models of refugee mental health care. These visits revealed "a great discrepancy in experience and accomplishment between the states from the top state level down to the clinic level," according to Deinard.

Although the center's contract is to provide technical assistance to the NIMH-ORR funded programs in California, Colorado, Hawaii, Illinois, Massachusetts, Minnesota, New York, Rhode Island, Texas, Virgina, Washington, and Wisconsin, Deinard said that the center would try to provide information to other states "as needs dictate and budget provides."

Center Searches for Refugee Mental Health Personnel The University of Minnesota has placed an immediate priority on identifying trained refugee mental health professionals and paraprofessionals and other mental health personnel who might be available for programs serving refugees.

"The aim," said Deinard, "is to alert qualified individuals who might be available for appointment to send their names and addresses to the technical assistance center." He said that one difficulty is that many qualified refugees do not belong to professional associations, and consequently have not come to the attention of the center.

Please send names and addresses of refugee mental health personnel to Dr. Amos S. Deinard, Director, Refugee Mental Health Resource Development and Technical Assistance Center, Box 85, Mayo, University of Minnesota Hospitals, 420 Delaware St., SE, Minneapolis, MN 55455. (612) 376-1463.

Reader Exchange

° UNHCR is seeking a Vietnamese-speaking woman trained in social work, psychology, or related fields to serve as a counselor for victims of piracy attacks. Candidates should have experience working with refugees, and need to have citizenship from a country other than Vietnam. The person will be employed by World YWCA and work in Phanat Nikhom, Thailand under the supervision of UNHCR. The position will be filled as soon as possible. A salary range of $19,000 to $25,000 is being offered, depending on experience. Send a resume and two letters of reference to: John Williamson, UNHCR, Palais des Nations, CH 1211 Geneva 10. Applicants should indicate earliest date of availability.

UNHCR will soon also be seeking a counselor/social worker to work in the closed camps in Hong Kong. Experienced men or

women who speak English and Vietnamese are encouraged to send resumes to the above address.

Resources

HMONG FOLK TALES CREATE LIVING TAPESTRY

At the dawn of time when all was desert, the monkeys left their homeland in search of food, leaving their families behind. When, finally, they reached a place with water and trees, they could no longer remember the way home. So, every morning, the monkeys climb the trees and call into the desert hoping their families will hear them.

This and 26 other stories make up Living Tapestries, a collection of folk tales and legends from Minneapolis' Hmong community. The Hmong oral traditions weave tales of ghosts and spirits, of prodigal sons and damsels in distress. Living Tapestries not only preserves an important facet of Hmong culture, but enriches American folk literature with a new immigrant group's contributions of myths and fables.

Living Tapestries, by Charles Numrich, is available for $5.30, plus $1.50 for postage, from Theatre Unlimited, 2315 Chicago Ave., South, Minneapolis, MN 55404. (612) 331-4657. Special rates are available for multiple orders, ESL programs, and nonprofit organizations.

U.S. REFUGEE POLICY EXAMINED IN CONTEXT OF IMMIGRATION LAW REFORM

The proceedings of the 1985 annual National Legal Conference on Immigration and Refugee Policy, held in Washington, D.C. March 28-29, 1985, have been published by the Center for Migration Studies.

In Defense of the Alien, Volume VIII, presents papers from 27 experts in the fields of immigration and refugee law and policy. Many of the essays deal with aspects of pending federal immigration reform legislation. Several of the essayists pay particular attention to human and civil rights concerns with respect to U.S. immigration enforcement practices.

The 219-page, clothbound volume is available for $14.95 from the Center for Migration Studies, 209 Flagg Place, Staten Island, NY 10304. (718) 351-8800.

VIDEOTAPES ADVISE LAWYERS ON ASLYUM PROCEEDINGS

A series of 16 videotapes has been made available to train lawyers about the important stages of the asylum process and provide insights into country conditions in eight of the countries most frequently involved in U.S. asylum proceedings.

The videotapes, produced by the Political Asylum Project of the Lawyers Committee for Human Rights, include mock hearings for various phases of the asylum process.

Each of the country-specific videotapes features a refugee, an expert on the human rights situation in the country, and a lawyer experienced in representing clients from that country. Countries treated are Afghanistan, Cuba, El Salvador, Ethiopia, Guatemala, Haiti, Iran, and Poland.

Most of the tapes are available for $50 ($30 for nonprofit organizations). A complete set of tapes costs $425. For further information, contact the Political Asylum Project, Lawyers Committee for Human Rights, 36 W. 44th St., Suite 914, New York, NY 10036. (212) 921-2160.

CENTER PROVIDES HUMAN RIGHTS INFORMATION ON EL SALVADOR

The Central American Refugee Center (CARECEN) has started an education and information department to provide information on human rights developments in El Salvador affecting refugees and displaced persons.

CARECEN's permanent representative in El Salvador will collect information in coordination with its staff in Washington, D.C. The permanent representative will collect sworn testimonies of displaced persons, deportees, and political prisoners. She will also visit displaced persons camps and relocation projects, take field notes, and interview relief workers.

CARECEN will try to provide specific information from El Salvador, upon request, in support of asylum applications.

For further information, contact Beatrice Edwards, CARECEN, 3112 Mt.

Pleasant St., NW, Washington, DC 20010. (202) 328-9799.

LAWYERS' GUILD PUBLISHES GUATEMALA ASYLUM GUIDE

The National Immigration Project of the National Lawyers' Guild has published a "Guide to Available Resources for Guatemalan Asylum Cases."

The guide consists of an annotated bibliography, descriptions of amicus briefs and affidavits, an account of the National Immigration Project's own collections of documentation materials, and a list of organizations providing information on Guatemala and descriptions of the services they provide.

To order, send $1.50 to the National Immigration Project of the National Lawyers' Guild, Room 506, 14 Beacon St., Boston, MA 02108. (617) 227-9727.

MENNONITES PRODUCE CENTRAL AMERICA RESOURCE PACKET

The Mennonite Central Committee has produced a resource packet on Central America. The packet, The Face of Change in Central America, includes six country sketches and statistics on refugees and displaced people in the region. Also included are analyses of the church in Central America and U.S. policy in the region. A bibliography includes audiovisual materials available through the Mennonite Central Committee.

To request a free copy of The Face of Change, contact the Central America Department, Mennonite Central Committee, 21 South 12th St., Box M, Akron, PA 17501. (717) 859-2210.

BOOKS PROMOTE SANCTUARY MOVEMENT

Two recent books treat the legal and theological implications of the sanctuary movement and trace the American religious community's involvement in offering refuge to Central Americans fleeing their homelands.

° Sanctuary: The New Underground Railroad, by Renny Golden and Michael McConnell, traces the paths of the Central Americans seeking sanctuary and provides insights into the motivations of those, like the authors themselves, who take the Central Americans on their journey through the "new underground railroad."

The work of sanctuary movement activists, the book at times overstates its case --as in the statement that "their chances of survival, once they disembark at the airport outside San Salvador or Guatemala City, are slim." When the authors step back and let the refugees speak for themselves, however, and the stories of persecution and flight unfold, the personal approach of the book succeeds.

Sanctuary: The New Underground Railroad is available for $9.95 from the Chicago Religious Task Force on Central America, Room 370, 407 South Dearborn, Chicago, IL 60605. All proceeds will go for direct aid to refugees and sanctuary work.

° A careful, legal analysis, on the other hand, is attempted by Ignatius Bau in This Ground is Holy: Church Sanctuary and Central American Refugees. Although exploring the legal implications and historical roots of the sanctuary movement, Bau concludes, "The authority for any provision of sanctuary today is clearly moral and religious rather than legal." He finds that "the sole basis for a church or congregational declaration of sanctuary today is its own moral and religious beliefs and convictions."

This Ground is Holy: Church Sanctuary and Central American Refugees is available for $9.95 from the Paulist Press, 997 Macarthur Blvd., Mahwah, NJ 07430.

TRANSFER OF SALVADORAN REFUGEES IN HONDURAS ANALYZED

Forced to Move is a detailed account and analysis of the forced relocation in 1983 of Salvadoran refugees from the border region of Honduras to Mesa Grande in the interior.

The 99-page publication includes photographs, drawings, maps, tables, and a chronology. More recent events, such as the August 1985 attack on Salvadoran refugees in the Colomoncagua camp by Honduran soldiers, are not treated.

Forced to Move is available for $9.75 from Solidarity Educational Publications, P.O. Box 40874, San Francisco, CA 94140.

INDOCHINESE REFUGEE PROGRAM
AS OF JUNE 30, 1986

ARRIVALS IN SOUTHEAST ASIA	June 1986	June 1985	FY 86 Cumul.	FY 85 Cumul. thru June 1985	Cumulative Since April 1975
Total Boat	2,902	3,296	17,119	19,148	641,238
Total Land	2,912	1,151	15,102	16,295	585,126
Total Direct (includes ODP)	648	2,585	12,182	20,430	494,187
Total Arrivals	6,462	2,032	44,403	55,873	1,720,551
RESETTLEMENT IN THE UNITED STATES					
Vietnamese: Boat and Land	1,659	2,226	16,574	17,651	359,708
Direct to U.S. 1975	0	0	0	0	123,000
Direct (ODP)	62	143	667	914	22,110
Subtotal	1,721	2,369	17,241	18,565	504,818
Khmer	162	1,731	9,368	13,699	138,027
Lao	1,496	71	4,385	2,659	97,058
Highlanders	140	19	1,886	1,865	58,571
Total Departures to the U.S.	3,519	4,190	32,880	36,788	798,474
RESETTLEMENT IN THIRD COUNTRIES					
Direct to PRC 1977-1979	0	0	0	0	263,000
Direct (ODP)	732	1,262	7,683	10,067	62,194
From First Asylum and RPC's	1,263	1,306	14,335	13,178	415,102
Total Departures to Other Countries	1,995	2,568	22,018	23,108	740,296
TOTAL RESET. IN U.S. AND THIRD COUNTRIES	5,514	6,758	54,898	60,033	1,538,770
ADDITIONAL DEPARTURES					
Voluntary Repatriation	0	0	61	224	4,514
Voluntary Relocation/Other	4	2	168	129	43,826
Total Additional Departures	4	2	229	353	48,340

JUNE 30,1986 POPULATION:			
Indochinese Refugees in First Asylum			151,211
Indochinese Refugees/Dependents in ESL/CO Training			
	Bataan	13,377	
	Galang	1,108	
	Phanat Nikhom	4,462	
	Total	18,947	
ODP Refugees in Transit in Bangkok			135
Total Indochinese Refugee Camp Population June 30, 1986			170,293

Total Indochinese Refugee Camp Population on June 30, 1985: 178,850

Total number of Indochinese admitted into the U.S. in non-refugee status this fiscal year is: 1,465 (285 first asylum/3,871 ODP)

Source: Bureau for Refugee Programs/U.S Department of State

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